



**Office of the Attorney General
Paul G. Summers**

**Department of Commerce and Insurance
Commissioner Paula Flowers**

NEWS RELEASE

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**ATTORNEY GENERAL SUES GIBSON COUNTY DOCTOR AND CLINIC
ADMINISTRATOR FOR ALLEGEDLY SELLING LAST YEAR'S FLU VACCINE**

REIMMUNIZATION AVAILABLE FOR THOSE WHO RECEIVED EXPIRED FLU SHOT

The State of Tennessee today filed suit against Dr. B.L. Couch and Francis Bailey for allegedly vaccinating consumers in Gibson County with last year's flu shot. The Attorney General's Office filed the suit on behalf of the Tennessee Division of Consumer Affairs, alleging the pair engaged in unfair and deceptive trade practices, which have left consumers vulnerable to this year's flu season.

Approximately 80 consumers are believed to have been affected after they allegedly bought the out-dated flu vaccine for \$25 a shot at Dr. Couch's clinic located at 525 Central Avenue, Humboldt, Tennessee.

Tennessee Attorney General Paul G. Summers said, "Consumers have a right to have all the facts in consumer transactions, especially when the transaction involves their medical care or that of a loved one," said Attorney General Paul G. Summers. "No person should be allowed to misrepresent the qualities or benefits of a product whether it is a car, a toaster or a flu shot."

The Tennessee Immunization Program, in working with the Attorney General and other

agencies, will deliver flu vaccine to the Gibson County Health Department in Humboldt to reimmunize those who may have received out-dated flu shots at Dr. Couch's Clinic.

It is not too late to get reimmuized, according to Medical Director of the Tennessee Immunization Program, Dr. Kelly Moore. "The expired vaccine would not injure those that received it, but it would not protect them from the flu. People who received the expired shots are not protected from this year's flu strains and should wash their hands frequently, use alcohol-based hand gels, and, when possible, avoid close contact with people who have flu symptoms. The best protection would be to get a current flu shot for this season."

Dr. Moore emphasized, "There is no increased risk of side effects from reimmunization, and we encourage people who believe they received an out-dated flu shot from Dr. Couch to be reimmunized."

The State is asking the Court to prevent Dr. Couch and Ms. Bailey from engaging in the alleged unlawful conduct in the future, to provide restitution to consumers, for civil penalties, and for other relief.

Mary Clement, Director of the Division of Consumer Affairs, said, "Due to the shortage in flu vaccine this year, I believe many consumers were particularly vulnerable to the alleged misrepresentations. I hope consumers in Humboldt will take advantage of the reimmunization program set up by the Attorney General and the Tennessee Immunization Program and consumers will be encouraged to report any similar type of business practices in the future."

If you believe you, your family or a friend received an expired flu shot from Dr. Couch's clinic, reimmuization is available at the Gibson County Health Department in Humboldt for only the cost of administering the vaccine. Affected consumers may contact the health department at (731)784-5491 to schedule an appointment. The Division of Consumer Affairs has complaint forms and other helpful consumer information posted on their website at: <http://www.state.tn.us/consumer/> or you can contact the Division of Consumer Affairs at (615) 741-4737.